(2—19).

Record, 379. 1890. Intf. Page, 80

Interference.

No. 14,625 "A"

E. T. Gilliland and
Frank W. Toppan

=vs=

Louis Glass and
Wm S. Arnold.

Numismotor Phonographs

Raymond R. Wile
Research Library

Aug. 1/90.

1890.

ATTORNEYS.

Ezra S. Gilliland and
Frank W. Tokspan,
c/o Daily Evening
155 Bdway / N.Y. Cards
Asso: Vernon M. Dorsey
918 F. St. City

Louis Glass and
Wm. S. Arnold,
c/o Boone and Ackes
137 Montgomery St.
San Francisco, Cal.

Asso A L Morrell,
City.

Raymond R. Wile
Research Library

(2—070.)

INDEX.

INTERFERENCE.

No. 14,625

Gilliland and Topham

v.

Glass and Arnold.

SUBJECT-MATTER:

Nunnismotor Phono-graphs.

12710—3 m

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Research Library

Aug. 1/90. Declaration. Prelim. hearing Sept. 17/90.
" 28 " Letter to Assee returned as a dead letter.
Sept 15th " Stipulation to extend times for filing Statements.
" 16 " " Prelim. hearing set for Nov. 1-'90.
Oct 22nd " Stipulation to extend times for filing Statements.
" 24 " Prelim. hearing set for Jan. 1-91.
Dec 27 " Stipulation to extend time for filing Statements.
" 29 " Prelim. hearing set for Feb. 2-91.
" 29 " Letter to Glass & Arnold.
" 31 " " From " "
Febry 27th " Statement of Glass & Arnold,
" " " " Letter to " " "
Mar 2nd " Statement of Gilliland & Toppan.
" " " " Letter to " " "
Sept. 1 " " Letter to Gilliland & Toppan extending prel. hearing to Oct. 1-'91.
" " " " Glass & Arnold " "
Oct 1st " Amended Statement of Gilliland & Toppan
" " " " Letter to " " "
Dec 22 " " Letter to Gilliland & Toppan extending prel. hearing to Jan. 26-'92.
" " " " " " Glass & Arnold " "
Feb. 1-92. Letter of consolidation with #14,914.
" " " Times set for taking testimony. Hearing May 16-92.
Mar. 23-92 Stipulation to Extend time for taking testy.
" 24 " Hearing set for June 16-92.
July 1-92 Decided in favor Glass & Arnold
Limit of appeal July 21-92

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(2–080.)

Room No.....

All communications should be addressed to "The Commissioner of Patents, Washington, D. C."

DEPARTMENT OF THE INTERIOR,

AUG 1 1890 PATENT OFFICE INTERFERENCES

United States Patent Office,

Washington, D. C., July 26, 1890

EXAMINER OF INTERFERENCES.

An interference is found to exist between the following cases, and in respect to the invention therein specified, to wit:

CASES.

1. E. T. Gilliland and F. W. Topham, of New York City, for attachments for Automatically Operating Phonographs, filed Mar. 6, 1890; Ser. No. 342,875; whose attorney is Alfred W. Kiddle, of New York City;

2. Louis Glass and W. S. Arnold, of San Francisco, Cal., for Nunimotor Phonograph, filed Feb. 15, 1890; Ser. No. 340,627; whose attorney is Boone & Acker assoc. A. L. Morrill, of San Francisco Cal. Washington, D.C.

3. ....., of ....., for .....; filed ....., 18...; Ser. No. ..... whose attorney is ....., of .....

INVENTION.

A phonograph comprising a box or case, a phonogram-cylinder mounted thereupon, a reproducer, a feed and return mechanism for said reproducer, an armature

17616 b—3 m

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eccentrically connected with said feed and return mechanism, and a magnet acting upon said armature and adapted to automatically and alternately reverse said mechanism.

The foregoing issue covers substantially claims 1 to 12, inclusive, of Gilliland & Toppan's application, and claim 1 of Glass and Arnold's application.

W. L. Aughinbaugh,
Examiner

Simpson
Kent Exr.

Intf. No. 14,623 Paper No. 1

Gilliland and Toppan
v.
Glass and Arnold.

Declaration of Interference of Aug. 1, 1894.
Time for filing statement set for Sept. 17, 1894.

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Gilliland & Taffan

vs

Glass & Arnold

Letter to asse

returned to Office

as dead letter

Raymond R. Wile
Research Library

(2—061.) [INTERFERENCE.

AUG 1 1890 INTERFERENCES

DEPARTMENT OF THE INTERIOR,

United States Patent Office,

Washington, D. C., July 26, 1890, 18

L. Glass and F. L. Arnold
Care A. L. Worrell
City

No. 14,625.

Please find below a copy of a communication from the Examiner concerning your application filed Feb. 15, 1890 for Numerator Phonograph, L. No. 340,627.

Very respectfully,

C. E. Mitchell
Commissioner of Patents.

Room No.
All communications should be addressed to "The Commissioner of Patents, Washington, D. C."

Your case, above referred to, is adjudged to interfere with others, hereafter specified, and the question of priority will be determined in conformity with the Rules.

The statement demanded by Rule 110 must be sealed up and filed on or before the 17th day of Sept, 1890, with the subject of the invention, and name of party filing it, indorsed on the envelope. The subject-matter involved in the interference is

A phonograph comprising a box or case, a phonogram cylinder mounted thereupon, a reproducer, a feed and return mechanism for said reproducer, an armature eccentrically connected with said feed and return mechanism, and a magnet acting upon said armature and adapted to automatically and alternately reverse said mechanism.

The foregoing issue covers substantially claims 1 to 12, inclusive.

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sive of the application of Ezra T. Gilliland and Frank W. Tepper, for Attachments for Automatically Operating Phonographs, both of New York, N. Y., whose attorney is Alfred W. Kiddle, of 38 Park Row, New York, N. Y., and claim 1 of the application of Louis Glass and Wm. S. Arnold, for of San Francisco, Cal., for Numismatic Phonograph, whose attorneys are Boone & Acker, of the same place, with A. L. Morsell, of Washington, D. C., as associate.

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Intf. No. 14,625 Paper No. 9.

Gilliland & Tippan

v.

Glass & Arnold

Letter to Glass & Arnold

Dec. 29-95

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Research Library

E.C.C.

2—067.

RECEIVED
DEC 29 1890
U. S. PATENT OFFICE.

DEPARTMENT OF THE INTERIOR.

United States Patent Office,

Washington, D. C., December 29, 1890.

IN RE INTERFERENCE

Gilliland & Toppan

v.

Glass & Arnold.

Numismotor Phonographs.

No. 14,625. A.

Before the Examiner of Interferences.

Glass & Arnold, Care A.L.Morsell, City.

The official letter of August 1,1890, setting a time for filing statements, addressed to R.W.Smith, San Francisco, Cal., who is an assignee of record, has been returned to the Patent Office undelivered. If you know his address will you have the kindness to give the same to the Office?

Walter Salmon

Examiner of Interferences.

1084 b—5 m

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Gilliland and Toppan

VS.

Glass and Arnold

STATEMENT OF

Glass and Arnold

Filed Feby 27 1891.
Approved Sept 1, 1891.

6.7.6.

Raymond R. Wile
Research Library

UNITED STATES PATENT OFFICE.

GILLILAND & TOPPAN	:	
	:	In re Interference
vs.	:	No. 14,625, declared
	:	July 26th, 1890.
GLASS & ARNOLD.	:	

SUBJECT: ATTACHMENT FOR AUTOMATICALLY OPERATING PHONOGRAPHS.

Amended

PRELIMINARY STATEMENT OF GILLILAND & TOPPAN.

EZRA T. GILLILAND and FRANK W. TOPPAN being severally duly sworn, each for himself deposes and says, that he is a party to the above entitled interference; that they conceived the invention set forth in the declaration of interference herein in or about the month of November 1887; that they made drawings illustrating said invention in or about the month of December 1887; that they first explained said invention to others in or about the month of December 1887; that they made a full sized working model or operating machine embodying said invention in or about the month of December 1889, which was successfully used, but they have not manufactured any machines embodying said invention for public sale or use.

Ezra T. Gilliland

Frank W. Toppan

Sworn to by the said Ezra T. Gilliland before me, a Notary Public in and for the State of Michigan at Adrian

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Research Library

UNITED STATES PATENT OFFICE.

Gilliland & Toppan	
vs.	In re Interference No. 14,625, declared July 26th, 1890.
Glass & Arnold.	

SUBJECT: ATTACHMENTS FOR AUTOMATICALLY OPERATING PHONOGRAPHS.

PRELIMINARY STATEMENT OF GLASS & ARNOLD.

STATE OF CALIFORNIA, :
: ss.
City and County of San Francisco. :

LOUIS GLASS and WILLIAM S. ARNOLD, of San Francisco, in the State of California, being duly sworn, depose and say:

That they are parties to the above entitled interference and that they conceived the invention set forth in the declaration of interference in July, 1889; that they made sketches illustrating said invention in July, 1889; that they first explained said invention to others in July, 1889; that they made and completed a model embodying said invention in Jany 1890, and that they manufactured a machine embodying said invention during Jany, 1890, which was successfully used.

Louis Glass
William S Arnold.

Sworn to and subscribed before me this 24th day of December, A.D. 1890.

E. F. Mann
Notary Public

Raymond R. Wile Research Library

11625 — 13

Gilliland et al Defendant

VS.

Glass et al Arnold

STATEMENT OF

Gilliland et al Defendant

Filed March 2, 1891.
~~Approved~~ Sept 1, 1891.

C.F.C.

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Research Library

UNITED STATES PATENT OFFICE.

GILLILAND & TOPPAN :
: In re Interference
vs. : No. 14,625, declared
: July 26th, 1890.
GLASS & ARNOLD. :

To the Commissioner of Patents,

Sir:-

EZRA T. GILLILAND and FRANK W. TOPPAN, applicants above named, parties to the above entitled interference herewith file preliminary statement in the said interference, which statement is as definite and certain as can now be made from information at hand, one of said joint applicants, said Toppan, being now in Europe; and the said statement is filed subject to correction, applicants hereby reserving to themselves, in view of the foregoing circumstances, the right to make said statement more definite, and certain in any particulars, should they desire so to do, and deem it necessary to protect their rights in the above interference.

A. W. Hall

Attorneys for
Gilliland & Toppan.

Dated, New York, Feb. 28, 1891.

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Research Library

G. L. M.

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DEPARTMENT OF THE INTERIOR,

United States Patent Office,

Washington, D. C., Dec. 21st *189* 1.

IN RE INTERFERENCE

Gilliland & Toppan

v.

Glass & Arnold.

Numismotor for Phonographs.

No. 14,625. A.

Before the Examiner of Interferences.

Gilliland & Toppan, C/o Vernon M. Dorsey, # 918 F. St., City.

The amended preliminary statement filed by Gilliland & Toppan is defective in that it does not distinguish between a model and reduction to practice. Rule 110 requires that the applicant shall state "The date upon which a model of the invention was made," "The date of the reduction to practice of the invention," and if a model has not been made or if the invention has not been reduced to practice, the statement must specifically set forth these facts.

If the device spoken of in the statement as "a full-sized working model or operating machine" was a model, it was not a reduction to practice, and if it was a reduction to practice it was not a model. One allegation will not answer for both the requirements of the Rule hereinabove quoted. As a working model is not a

1084 b—5 m

Raymond R. Wile Research Library

reduction to practice(Green v. Hall v. Siemens v. Field, C. D. 1889 161)and as it appears from Gilliland & Toppan's original statement that this device made about December,1889,was a model, they will be restricted in the matter of reduction to practice to their application date as stated in office letter of September 1, 1891, in the further proceedings in this case, unless they shall on or before Jan. 20, 1892, file an amended statement making the specific and definite allegations required by Rule 110 in relation to the defects above noted in the statement now on file.

Walter Johnson

Examiner of Interferences.

Intf. No. 14,623 Paper No. 19

Gilliland & Toppan

v.

Glover & Armour

Gilliland & Toppan

Dec. 2 '91.

UNITED STATES PATENT OFFICE.

GILLILAND & TOPPAN	:	
	:	In re Interference
vs.	:	No. 14,625, declared
	:	July 26th, 1890.
GLASS & ARNOLD.	:	

SUBJECT: ATTACHMENTS FOR AUTOMATICALLY OPERATING PHONOGRAPHS

PRELIMINARY STATEMENT OF GILLILAND & TOPPAN.

EZRA T. GILLILAND and FRANK W. TOPPAN being severally duly sworn, each for himself deposes and says, that he is a party to the above entitled Interference; that they conceived the invention set forth in the declaration of interference herein in or about the month of November 1887; that they made sketches illustrating said invention in or about the month of December 1887; that they first explained said invention to others in or about the month of December 1887; that they made a full-sized working model embodying said invention in or about the month of December 1889, but they have not manufactured any machines embodying said invention for public sale or use.

Ezra T. Gilliland

Frank W. Toppan

Sworn to by the said Ezra T. Gilliland before me, a Notary Public for the State of New York at New York City,

Raymond R. Wile
Research Library

this 9th day of February 1891.

Edw A. Anderton

Notary Public,
N.Y.Co.

Kingdom of Great Britain and Ireland
Dominion of Canada United States
On this 26th Day of
January 1891 before me personally
came Frank W. Jopson to me known
and being duly sworn deposes and
says the matters and facts stated in
the foregoing affidavit are true

Witness my hand and
the seal of the Consulate

General Jno. B. Kerr

Consul General

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Research Library

14,625 – 13 + 17.

Gilliland & Hoffman

VS.

Glass & Arnold

STATEMENT OF

Gilliland & Hoffman.

Filed Oct. 1, 1891.
~~Approved~~ Dec 22 1891.

C. F. C.

Approved Jany 23, 1892.
See paper 19.
C. F. C.

Raymond R. Wile
Research Library

STATE OF MICHIGAN, } ss.
COUNTY OF LENAWEE.

I, IRA WATERMAN, Clerk of said County of Lenawee, and of the Circuit Court therein, ~~being a~~ Court of Record, having a seal, do hereby certify that G. J. Graves whose name is subscribed to the annexed affidavit and therein written, was, at the time of taking such affidavit, a Notary Public in and for said County, duly qualified, and duly authorized by the laws of this State to take the same; and further, that I am well acquainted with the handwriting of such Notary Public, and verily believe that the signature to the said affidavit is genuine, and as such entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Circuit Court, at Adrian, this 1st day of April A. D. 1897.

Ira Waterman CLERK

By Bertha Fleming DEPUTY CLERK.

Raymond R. Wile
Research Library

City, this First day of April 1891.

B. F. Greene

Notary Public,

U S Consulate General
Paris

Sworn & Subscribed to by said Frank W Toppan before me a Vice Consul General of the United States of America at Paris this 14 Day of March A D 1891

Robt M Hanson
Vice Consul General
Paris